

# UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

## NOTICE OF DOCKETING

### **15-1304 - Better Food Choices LLC v. MyNetDiary, Inc.**

**Date of docketing:** February 3, 2015

**Appeal from:** United States District Court for the District of Idaho case no. 1:14-cv-00204-DVB

**Appellant(s):** Better Food Choices LLC

**Critical dates include:**

- Date of docketing. See Fed. Cir. R. 12.
- Entry of appearance. (*Due within 14 days of the date of docketing.*) See Fed. Cir. R. 47.3.
- Certificate of interest. (*Due within 14 days of the date of docketing.*) See Fed. Cir. R. 47.4.
- Docketing Statement. (*Due within 14 days of the date of docketing, or within 30 days if the United States or its officer or agency is a party in the appeal.*) [Only in cases where all parties are represented by counsel. See the en banc order dated September 18, 2006, and guidelines available at [www.cafc.uscourts.gov](http://www.cafc.uscourts.gov).]
- Requests for extensions of time. See Fed. Cir. R. 26 and 27. **N.B. Delayed requests are not favored by the court.**
- Briefs. See Fed. Cir. R. 31. **N.B. You will not receive a separate briefing schedule from the Clerk's Office.** However, in a case involving an appellant, a cross-appellant, and an appellee, a special briefing schedule is used. The appellant's opening brief is due within 60 days of the date of docketing. The cross-appellant's opening brief is due within 40 days of filing of the appellant's opening brief. The appellee's brief is due within 40 days of filing of the cross-appellant's brief. The appellant's response/reply brief is due within 40 days of filing of the appellee's brief. The cross-appellant's reply brief is due within 14 days of filing of the appellant's response/reply brief. The joint appendix is due within 10 days of filing of the cross-appellant's reply brief.
- Settlement discussions. See Fed. Cir. R. 33.
- **ORAL ARGUMENT SCHEDULE CONFLICTS:** Counsel should advise the clerk in writing within 30 days once briefing is completed of potential scheduling conflicts or as soon as they are known and should not wait until an actual conflict arises. Once scheduled, a case will not be postponed except on motion showing **compelling reasons**. See Practice Note following Fed. Cir. R. 34.

The official caption is reflected on the electronic docket under the listing of the parties and counsel. Counsel may download the Rules of Practice and required forms from [www.cafc.uscourts.gov](http://www.cafc.uscourts.gov) or call 202.275.8000 for a printed copy.

Daniel E. O'Toole  
Clerk of Court

cc: United States District Court for the District of Idaho  
Amy Hayden  
Dana M. Herberholz  
Robert A. Huntsman  
J. Jackson Shrum  
Scott David Swanson